

10/537325

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Attorney's Docket No.: HIR-05-1144**DECLARATION, POWER OF ATTORNEY AND PETITION**

I (We), the undersigned inventor(s), hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,
I (We) believe that I am (we are) the original, first, and joint (sole) inventor(s) of the
subject matter which is claimed and for which a patent is sought on the invention
entitled

BENZOMORPHOLINE DERIVATIVES

the specification of which

- is attached hereto.
- was filed on _____ as
Application Serial No. _____
and amended on _____
- was filed as PCT international application
Number PCT/JP2003/015631
on December 5, 2003,
and was amended under PCT Article 19
on _____ (if applicable).

I (We) hereby state that I (We) have reviewed and understand the contents of the
above-identified specification, including the claims, as amended by any amendment
referred to above; that I (We) do not know and do not believe that this invention was
ever known or used before my invention or discovery thereof, or patented or described
in any printed publication in any country before my invention or discovery thereof, or
more than one year prior to this application, or in public use or on sale in the United
States for more than one year prior to this application; that this invention or discovery
has not been patented or made the subject of an inventor's certificate in any country
foreign to the United States on an application filed by me or my legal representatives or
assigns more than twelve months before this application.

I (We) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

I (We) hereby claim foreign priority benefits under Section 119(a)-(d) of Title 35 United States Code, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Application No.	Country	Filing date	Priority claimed
<u>2002-355544</u>	<u>Japan</u>	<u>December 6, 2002</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Section 119(e) of Title 35 United States Code, of any United States application(s) listed below.

<hr/>	<hr/>
(Application Number)	(Filing Date)
<hr/>	<hr/>
(Application Number)	(Filing Date)

I (We) hereby claim the benefit under Section 120 of Title 35 United States Code, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Section 112 of Title 35 United States Code, I (We) acknowledge the duty to disclose material information as defined in Section 1.56(a) of Title 37 Code of Federal Regulations, which occurred between the filing date of the prior application and national or PCT international filing date of this application:

Application Serial No.

Filing Date

Status (pending,
patented,
abandoned)

And I (We) hereby appoint: DLA Piper Rudnick Gray Cary US LLP, CUSTOMER
 NUMBER 035811

I(We) hereby request that all correspondence regarding this application be sent to IP Group of
 DLA Piper Rudnick Gray Cary US LLP whose Post office address is: One Liberty Place, 1650
 Market Street, Suite 4900, Philadelphia, PA 19103 U.S.A.

I (We) declare further that all statements made herein of my (our) knowledge are true
 and that all statements were made with the knowledge that willful false statements and
 the like so made are punishable by fine or imprisonment, or both, under Section 1001 of
 Title 18 of the United States Code and that such willful false statements may jeopardize
 the validity of the application or any patent issued thereon.

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Signature of Inventor

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